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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/802,166
Applicant(s) : James Robert Schwartz
Filed : 03/17/2004
Title : Composition Comprising Zinc-Containing Layered
Material with a High Relative Zinc Liability
TC/A.U. : 1616
Examiner : Ernest V. Arnold
Conf. No. : 4150
Docket No. : 9184M
Customer No. : 27752

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING REFERENCE APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 11/216,520, filed on 08-31-2005, Application Number 11/100,648, filed on 04-07-2005, Application Number 10/742,557, filed on 12/19/2003, and Application Number 10/392,422, filed on 03-18-2003, as such term is defined in 35 U.S.C. 154 to 156 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration

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Reply to Office Action mailed on 11/30/2005

date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the reference application, in the event that any such patent granted on the reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) for submission of this Terminal Disclaimer.

The undersigned is an attorney or agent of record.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Signature

Linda M. Sivik
Registration No. 44,982
(513) 626-4122

Date: May 30, 2006

Customer No. 27752